

COMMISSION MEETING**7:00 P.M.****JANUARY 15, 2020**

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, January 15, 2020, in the City Commission Meeting Room with Mayor Giefer presiding and Commissioners Brinkman, Geitz, and Smith present. Commissioner Gilligan was absent. Also present were City Manager McAnarney, Assistant City Manager Massey, Deputy City Clerk Bryson and City Attorney Montgomery. City Clerk Sull was absent.

MAYOR AND CITY COMMISSIONERS REPORTS AND COMMENTS

This is the time for the Mayor and City Commissioners to make comments and reports to the public. **The following is general information for the month of December for the community:**

1. Monthly Local Retail Sales Tax Receipts Update

	2018	2019	
	\$407,028.86	\$413,482.82	Increase of \$6,453.96 for the month, and
YTD	\$4,843,361.41	\$4,960.937.71	Overall increase of 2.43% from year 2018

2. City Share from County Tax

	2018	2019	
	\$ 197,197.39	\$203,954.48	Increase of \$6,757.09 for month, and
YTD	\$2,385,755.94	\$2,463,818.17	Overall increase of 3.27% from year 2018

3. Building Permits issued from 12/1/2019 to 12/31/2019 for new construction, remodeling, repairs and demolition.

Total number of building permits issued through Code Services:	43
Total of valuations associated with those building permits:	\$ 375,488.00
Total number of dollars collected for Building Permit Fees:	\$ 4,248.50
Construct - single family dwellings	0
Demo - single family dwellings	1

Flint Hills Mall CID for December	\$ 17,083.43
Year to Date Total	\$ 199,616.81

Consent Agenda

It was moved by Commissioner Smith, seconded by Commissioner Geitz that the Consent Agenda listed below be ratified as a whole:

- a. Consider minutes of the Regular Meeting held on January 8, 2020.
- b. Consider ratification of Payroll Ordinance for the period ending on January 3, 2020.

The vote follows: Commissioner Smith, aye; Commissioner Geitz, aye; Commissioner Brinkman, aye; and Mayor Giefer, aye.

**CITY COMMISSION
(Public Comment)**

This is the time for the public to make comments. No comments were made at this time.

As no one from Sacred Heart Catholic School was in attendance to accept a proclamation recognizing Catholic Schools Week, Mayor Giefer presented a proclamation recognizing the week of January 26th through February 1st, as "Celebrating Catholic Schools Week" in Emporia. He stated each year the Archdiocese of Kansas City in Kansas designates one week during the year to highlight Catholic Schools. The presence of a Catholic school in our community has proven to be an additional amenity and incentive in the education of the youth of the City of Emporia. He stated the legacy of Sacred Heart School will live on for many years thanks to dedicated administrators, teachers, and students as well as a very supportive community.

**ENGINEERING
(Kansas Department of Transportation)
(Approve Economic Development Program 2019-2020)**

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated staff is interested in submitting an application to the Kansas Department of Transportation for their Economic Development Program for 2019 - 2020. The proposed project includes minor arterial/major collector street roadway improvements that connect K-99 and US-50 Highways to the City's Industrial Park III, which includes portions of Logan Avenue, South Avenue and Weaver Streets. Those portions are generally on Logan Avenue (Warren Way to Weaver Street); Weaver Street (Logan Avenue to Railroad Tracks); and South Avenue (East Street to Weaver Street). The estimated costs of the project is \$700,000, with a minimum local 25% city share match of \$175,000 and KDOT providing \$525,000. The City's share would come from the KDOT FFE Fund, Federal Fund Exchange Program. KDOT no

longer allows the City to bank those funds for future projects, currently there is approximately \$500,000 to \$600,000 to pay for this cost share project. The intent for this project is Simmons is consolidating manufacturing operations from another state and interested in locating those positions in Emporia. The street and drainage improvements will help transport the raw materials and finished products between the Simmons plant, raw material vendors, and finished product customers. He stated he this was a very viable project.

Following further discussion, Commissioner Brinkman made a motion to approve the Kansas Department of Transportation Economic Development Program. Commissioner Smith seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Smith, aye; Commissioner Geitz, aye; and Mayor Giefer, aye.

**CITY COMMISSION
(Design Contract with BG Consultants)
(2020 Potable Water System Model)**

Dean Grant, PWC Director, was recognized and addressed the Governing Body. He stated the City of Emporia water distribution system which included piping and elevated storage tank, has been upgraded over the past few years. As discussed at a previous study, BG Consultant has designed a system model that will allow for better planning of future projects for growth, more informed decisions on system design and operation and improvement of the water quality. He stated this model is a living application that will be updated on a regular basis. This is a long term distribution tool for the water system. The model will be housed with BG Consultants, however, it will be owned by the City of Emporia. The cost for the water system model is \$125,000 and would be paid for from the State Revolving Loan Fund that was approved for 2020. He stated staff was recommending approval of the contract with BG Consultants for a Water System Model in the amount of \$125,000.

Commissioner Geitz made a motion to approve the contract with BG Consultants for a Water System Model in the amount of \$125,000. Commissioner Brinkman seconded the motion. The vote follows: Commissioner

Geitz, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

**CITY OF EMPORIA
(Adopt 2020 Legislative Policy Statement)**

City Attorney Montgomery, was recognized and addressed the Governing Body. She stated the City adopts its legislative position detailing the community's goals from the State Legislative during the upcoming legislative session. She then reviewed the 2020 Legislative Policy Statement as follows:

HOME RULE - We believe the governing of public affairs should be as close to the people as possible and the Home Rule is essential to vigorous, effective and responsible local government under our representative system. Home Rule is crucial to the continued ability of locally elected officials to solve problems in ways most appropriate to local needs and conditions. Legislative which affirms the ability to pass local laws on the same subject is strongly supported.

FUNDING LOCAL GOVERNMENT - Revenue streams designated for specific state aid programs should be directed to those programs without reallocating revenues to the state. Legislative action reducing local revenues must be matched with action to replace the reduced funds.

KDOT - The City supports full restoration of KDOT funding. State highway funds should be used for highway improvements only. The City-County Highway Fund is essential to maintaining local roads and should be fully funded. The City also supports increasing the amount of State funding which supports maintenance of State highways within city limits.

STATE - LOCAL SPENDING LID - Controlling growth of governmental spending is a vital interest to everyone. Arbitrary spending limits that restrict the authority of locally elected officials to make decisions in the best interest of the community should be opposed.

PUBLIC EDUCATION - We believe that state legislature should provide balanced education funding with continued support for K-12, job training, technical colleges and our state universities. Coordination of higher education programs should be encouraged. To support a strong economic future we need a prepared workforce.

SALES TAX FAIRNESS - We support required out of state sellers of goods to pay local sales tax on internet sales. We further generally oppose any further exemption to the base of state and local sales taxes, including sales of food. Any Change in the method of taxing food should be accomplished by a system of income tax credits or direct rebates, rather than complete exemption.

BUDGETING - The statutory timetable for budget preparation, publication, hearing, adoption and certification should be extended by at least one month. The increasingly efficient methods of communication and date transmission should allow such an extension without an undue impact upon county offices and would help ensure the municipality's receipt of accurate assessed valuation information.

EMS/HOSPITAL FUNDING - Emergency medical services and public hospitals must provide medical services without regard to ability of patients to pay. The expansion of Medicaid in Kansas would allow medical providers to be at least partially compensated for some medical services to economically disadvantaged citizens. We support the expansion of Medicaid in Kansas.

ECONOMIC DEVELOPMENT - We support the Department of Commerce economic development and workforce development incentives including Rural housing incentive Districts, the PEAK program and the HPIP program.

KPERS - The City support the continued commitment to stabilize and fully fund the Kansas Public Employees Retirement System (KPERS).

VAPING TAX - We believe that vaping liquids and products should be taxed at the same rate as tobacco products.

Commissioner Smith made a motion to adopt City of Emporia 2020 Legislative Policy Statement. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Giefer, aye.

**CITY COMMISSION
(City Manager's Report)**

This is a verbal report that announces upcoming events, recognizes employees for outstanding contribution and provides the public information that may be of a general interest. The following information was presented at the meeting:

At the time this Agenda was prepared, the following items were in the works:

TENTATIVE AGENDA FOR JANUARY 22nd STUDY SESSION @ 11:00 a.m.

Lift Stations

Joint Luncheon w/Planning Commission & Board of Zoning Appeals

EXECUTIVE SESSION

Commissioner Geitz made a motion to adjourn into Executive Session to discuss information of a corporation seeking to relocate in Emporia, Kansas and to invite Kent Heermann, President of Regional Development Association of East Central Kansas (RDA), from 7:12 p.m. to 7:27 p.m., in the City Conference Room. Commissioner Smith seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; and Mayor Giefer, aye.

Upon reconvening the meeting in Regular Session, a 7:27 p.m., this same date, in the City Conference Room, Mayor Giefer stated they had discussed information of a corporation seeking to relocate in Emporia, Kansas and action was taken as follows: Commissioner Geitz made a motion authorizing the pre-disaster mitigation grant application on behalf of Smoots Enterprises, LLC, subject to approval of the City Attorney. Commissioner Smith seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; and Mayor Giefer, aye.

Commissioner Smith then made a motion to adjourn. Commissioner Geitz seconded the motion. The vote follows: Commissioner Smith aye; Commissioner Geitz, aye; Commissioner Brinkman, aye; and Mayor Giefer, aye.

Danny Giefer, Mayor

ATTEST:

Kerry Sull, City Clerk